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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/588,879	06/06/2000	Nobuyoshi Morimoto	5596-00200	1074
7590 Robert C. Kowert Meyertons, Hood, Kivlin, Kowert & Goetzl P.C. P.O. Box 398 Austin, TX 78767-0398			EXAMINER ENGLAND, DAVID E	
			ART UNIT 2143	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	04/06/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/588,879	MORIMOTO, NOBUYOSHI
	Examiner	Art Unit
	David E. England	2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 08 December 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1 – 20, 22 – 30 and 32 – 37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1 – 20, 22 – 30 and 32 – 37 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____   | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

1. Claims 1 – 20, 22 – 30 and 32 – 37 are presented for examination.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 16, 18 – 20, 24, 26, 28 – 30, 33, 34, 36 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shapira in view of what is well known in the art.

4. Referencing claim 16, as closely interpreted by the Examiner, Shapira teaches a system for identifying a distinct computer user accessing a web site, the system comprising:

5. a client computer system operated by a computer user, (e.g., col. 7, line 42 – col. 8, line 6);

6. a web site server computer system, (e.g., col. 7, line 42 – col. 8, line 6);

7. wherein the client computer system is operable to connect with the web site server for gaining access to said web site in response to a request from said computer user, (e.g., col. 7, line 42 – col. 8, line 6); and

8. wherein the web site server is operable to:

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9. store one or more identifiers, wherein each identifier corresponds to a computer user accessing said web site, wherein said each identifier comprises an Internet address and a time value, (e.g., col. 4, lines 27 – 50 & col. 7, line 42 – col. 8, line 6);
10. receive a request from a first computer user to access the web site, wherein said request comprises a first identifier corresponding to said first computer user accessing said web site, (e.g., col. 4, lines 27 – 50 & col. 7, line 42 – col. 8, line 6);
11. search for an identifier matching said first identifier among said one or more stored identifiers, (e.g., col. 4, lines 27 – 50 & col. 7, line 42 – col. 8, line 6);
12. identify said first unique identifier as a distinct computer user if said searching for said first unique identifier did not result in a match, (e.g., col. 4, lines 27 – 50 & col. 7, line 42 – col. 8, line 6).
13. Shapira teaches the synchronization of time with the request of a web page but doesn't specifically teach wherein the time value is associated with a launch of a web browser on the client computer system.
14. It is well known in the art that browser applications can have a "home page" that is requested when the browser application is launched. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to synchronize a browser time with a global standard when the browser is launched because if the teachings of Shapira's synchronization with requested web pages were to occur with a "home page" that was triggered by the launching of the browser application then it would be obvious that the launching of the browser application would start the process of synchronizing the time as described above.

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15. Referencing claim 18, as closely interpreted by the Examiner, Shapira teaches said client computer system comprises a personal computer or a laptop computer or a notebook computer or an Internet-enabled cellular phone or an Internet-enabled personal digital assistant or a web television system, (e.g., col. 3, line 53 – col. 4, line 2).

16. Referencing claim 24, as closely interpreted by the Examiner, Shapira teaches said Internet address is an Internet Protocol (IP) address, (e.g., col. 4, lines 27 – 50).

17. Claims 19, 20, 26, 28 – 30, 33, 34, 36 and 37 are rejected for similar reasons as stated above.

**18. Claims 1 – 3, 5, 7 – 9, 11, 12, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shapira in view of Gerace (5991735).**

19. As per claim 1, as closely interpreted by the Examiner, Shapira teaches a method for identifying distinct users accessing a web site, the method comprising:

20. storing one or more records in a database, wherein each record comprises an Internet address and a time value, and wherein each record corresponds to a different computer accessing said web site, (e.g., col. 4, lines 27 – 50 & col. 7, line 42 – col. 8, line 6);

21. receiving a first request from a first computer to access the web site, (e.g., col. 4, lines 27 – 50 & col. 7, line 42 – col. 8, line 6);

22. receiving said information, (e.g., col. 4, lines 27 – 50 & col. 7, line 42 – col. 8, line 6);

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23. determining whether a matching record for said first Internet address and said first time value exists in said database, (e.g., col. 4, lines 27 – 50 & col. 7, line 42 – col. 8, line 6); and

24. identifying said first computer as a distinct user if said matching record does not exist in said database, (e.g., col. 4, lines 27 – 50 & col. 7, line 42 – col. 8, line 6).

25. However, Shapira does not specifically teach a separate request for information to said first computer, wherein said information comprises a first Internet address and a first time value corresponding to said first computer.

26. Gerace teaches a separate request for information to said first computer, wherein said information comprises a first Internet address and a first time value corresponding to said first computer, (e.g., col. 13, line 56 – col. 14, lines 25, “*stored locally on user’s PC is a cookie*”, “*request for a cookie*”, “*newly built cookie is a unique user identification code, time and date of login, and computer identification number*” & col. 16, lines 45 – 55, “*cookie*”), by utilizing a login procedure that also requests information that contains a time and date of login and a computer identification number, which could be interpreted as an Internet address. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Gerace with Shapira because requesting a login from a user enables a the system to identify who the specific user is and what their preferences are if they have set up an account. Also, it is well known in the art that utilizing a login and identification system enables a system added security from predators that are not privileged to specific information pertaining to a user.

27. As per claim 2, as closely interpreted by the Examiner, Shapira teaches said time value is associated with a user-defined event, (e.g., col. 5, lines 4 – 19).

28. As per claim 3, as closely interpreted by the Examiner, Shapira teaches said user-defined event is a launch of a web browser software on said first computer system, (e.g., col. 5, lines 4 – 19). It is well known in the art that browser applications can have a “home page” that is requested when the browser application is launched. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to synchronize a browser time with a global standard when the browser is launched because if the teachings of Shapira’s synchronization with requested web pages were to occur with a “home page” that was triggered by the launching of the browser application then it would be obvious that the launching of the browser application would start the process of synchronizing the time as described above.

29. As per claim 5, as closely interpreted by the Examiner, Shapira teaches said Internet address is an Internet Protocol (IP) address, (e.g., col. 4, lines 27 – 50).

30. As per claim 7, as closely interpreted by the Examiner, Shapira teaches generating and updating a timestamp for each record, wherein said identifying comprises identifying said first computer user as a distinct computer user only if said matching record does not exist in said database or if said timestamp for said matching record is older than a predetermined maximum time, (e.g., col. 4, lines 27 – 50 & col. 7, line 42 – col. 8, line 6).

31. As per claim 8, as closely interpreted by the Examiner, Shapira teaches said first computer is a personal computer, a laptop computer, a notebook computer, an Internet-enabled

cellular phone, an Internet-enabled personal digital assistant, or an Internet-enabled television, (e.g., col. 4, lines 27 – 50).

32. Claims 9, 11, 12, 14 and 15 are rejected for similar reasons as stated above.

33. Claims 4, 10 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shapira and Gerace as applied above, and in further view of Bodnar et al. (6295541) (hereinafter Bodnar).

34. As per claim 4, as closely interpreted by the Examiner, Shapira and Gerace teach said time value is generated by a time keeping device as described above but do not specifically teach wherein said time keeping device is configured to synchronize said time value with a global time keeping standard clock. Bodnar teaches said time keeping device is configured to synchronize said time value with a global time keeping standard clock, (e.g., col. 9, lines 18 – 60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Bodnar with the combine system of Shapira and Gerace because synchronizing clocks minimizes problems due to any relative drift in the devices' clocks, such as drifts caused by clock inaccuracies or drifts caused by the user's re-setting of a clock on a device.

35. Claims 10 and 13 are rejected for similar reasons as stated above.

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36. Claims 17, 23, 27, 32 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shapira as applied above, and in view of Bodnar et al. (6295541) (hereinafter Bodnar).

37. As per claim 17, as closely interpreted by the Examiner, Shapira teaches said time value is generated by a time keeping device as described above but do not specifically teach wherein said time keeping device is configured to synchronize said time value with a global time keeping standard clock. Bodnar teaches said time keeping device is configured to synchronize said time value with a global time keeping standard clock, (e.g., col. 9, lines 18 – 60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Bodnar with Shapira because synchronizing clocks minimizes problems due to any relative drift in the devices' clocks, such as drifts caused by clock inaccuracies or drifts caused by the user's re-setting of a clock on a device.

38. Claims 23, 27, 32 and 35 are rejected for similar reasons as stated above.

39. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shapira and Gerace as applied above, and in view of Farrow et al. (6374295) (hereinafter Farrow).

40. As per claim 6, as closely interpreted by the Examiner, Shapira and Gerace do not specifically teach the database is an object oriented database or a relational database. Farrow teaches the database is an object oriented database or a relational database, (e.g., col. 3, line 61 – col. 4, line 17). It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine Farrow with the combine system of Shapira and Gerace because relational databases can log any configuration changes in a separate area, therefore, giving the system possible versatility.

41. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shapira as applied above, and in view of Farrow et al. (6374295) (hereinafter Farrow).

42. As per claim 25, as closely interpreted by the Examiner, Shapira does not specifically teach the database is an object oriented database or a relational database. Farrow teaches the database is an object oriented database or a relational database, (e.g., col. 3, line 61 – col. 4, line 17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Farrow with Shapira because relational databases can log any configuration changes in a separate area, therefore, giving the system possible versatility.

*Response to Arguments*

43. Applicant's arguments with respect to claims 1 – 20, 22 – 30 and 32 – 37 have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

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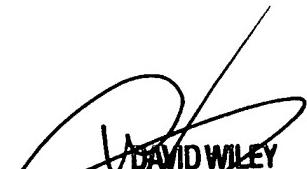
Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 571-272-3912. The examiner can normally be reached on Mon-Thur, 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

David E. England  
Examiner  
Art Unit 2143

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